REMARKS

Reconsideration is requested for claims 1-31, 33, and 35-42.

Claim 1 was objected to. While it is respectfully submitted that the claim, as originally written, was in proper form, to better clarify the claim language, the expression "in which the first end of the first strut and the second end of the second strut are substantially adjacent" has been enclosed within commas to reflect that it is a parenthetical. The parenthetical is between the expression "between a folded position" and the expression "and an expanded position". Similar amendments have been made to independent claim 33. Withdrawal of the objection is cordially urged.

Claim 17 has been amended to depend from claim 16. Withdrawal of the objection is cordially urged.

Claim 14 was objected to on the grounds that it fails to limit the subject matter of a previous claim. However, claim 14 depends from claim 2 and further limits that claim. Claim 13 is identical to claim 14 except that it depends from claim 12. Claims 13 and 14 are submitted to be in proper dependent form. Withdrawal of the objection is cordially urged.

Claims 1-10, 15, 23-29, 32-40, and 42 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,943,837 to *Esser et al.* Claim 1 defines a mechanically deployable, expandable and collapsible structure comprising at least one scissor assembly comprising a first and a second strut, the first and the second strut each having first and second ends and being pivotably attached to each other such that the scissor assembly is movable between a folded position, in which the first end of the first strut and the second end of the second strut are substantially adjacent, and an expanded position, a first spacer disposed between the first end of the first strut and the first end of the second strut when the scissor assembly is in

the expanded position, a second spacer disposed between the second end of the first strut and the second end of the second strut when the scissor assembly is in the expanded position, and a tension member connected to the first and second struts, wherein the tension member is arranged such that the scissor assembly is moved from the folded position when there is slack in the tension member to the expanded position when the slack in the tension member is taken up.

Esser et al. discloses an arrangement in FIGS. 8a-8f wherein a pulley 161 is arranged at ends of a stem 154 extending from each hub, and a cable 150 is guided around the pulleys. The stem 154 and pulley 161 is provided as an alternative to a stabilizing rod 34 joining opposing hubs as provided in alternative embodiments, *see* Col. 8, lines 21-22, and there is no disclosure that the cable 150, stem 154, and pulley 161 arrangement can somehow be combined with the stabilizing rod 34. The stem 154 and pulley 161 arrangements are not disclosed to and cannot function as spacers between ends of the strut pairs. Even if pulleys of opposing hubs were for some reason to be positioned adjacent to each other – which is not disclosed in *Esser et al.* and which would serve no apparent purpose -- they will tend to move relative to each other and thus cannot reasonably be said to space the opposing hubs.

In view of the differences between claim 1 and *Esser et al.*, it is respectfully submitted that claim 1 and the claims dependent therefrom are not anticipated by *Esser et al.*

Claim 33 defines a method of deploying a mechanically deployable structure comprising unfolding the structure to a collapsed condition, the structure including at least one scissor assembly comprising a first and a second strut, the first and the second strut each having first and second ends and being pivotably attached to each other such that the scissor assembly is movable between a folded position, in which the first end of the first strut and the second end of the

second strut are substantially adjacent, and an expanded position, and when the structure is in a collapsed condition, taking up slack in a tension member, the tension member being connected to the first and second struts in such a manner that taking up slack draws the first ends of the first and second struts toward one another, and wherein slack in the tension member is taken up until the first ends of the first and second struts are separated by a distance defined by a spacer.

Esser et al. does not disclose the combination of steps recited in claim 33, including taking up slack in a tension member, the tension member being connected to first and second struts in such a manner that taking up slack draws the first ends of the first and second struts toward one another, and wherein slack in the tension member is taken up until the first ends of the first and second struts are separated by a distance defined by a spacer.

In view of the differences between claim 33 and *Esser et al.*, it is respectfully submitted that claim 33 and the claims dependent therefrom are not anticipated by *Esser et al.*

Claims 11 and 41 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Esser et al.* in view of U.S. Patent No. 3,354,596 to *Schafer*. *Schafer* discloses telescoping struts but does not cure the defects of *Esser et al.* with respect to claims 1 or 33 and it is respectfully submitted that claims 1 and 33 and the claims dependent therefrom, including claims 11 and 41, define patentably over *Esser et al.* in view of *Schafer*.

Claims 13, 14, 30, and 31 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Esser et al.* in view of U.S. Patent No. 4,437,275 to *Zeigler*. *Zeigler* '275 does not cure the defects of *Esser et al.* with respect to claim 1 and it is respectfully submitted that claim 1 and the claims dependent therefrom, including claims 13, 14, 30, and 31, define patentably over *Esser et al.* in view of *Zeigler* '275.

Claims 16 and 17 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Esser et al.* in view of U.S. Patent No. 5,930,971 to *Etheridge*. *Etheridge* does not cure the defects of *Esser et al.* with respect to claim 1 and it is respectfully submitted that claim 1 and the claims dependent therefrom, including claims 16 and 17, define patentably over *Esser et al.* in view of *Etheridge*.

Claim 18 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Esser et al.* in view of U.S. Patent No. 5,274,980 to *Zeigler*. *Zeigler* '980 does not cure the defects of *Esser et al.* with respect to claim 1 and it is respectfully submitted that claim 1 and the claims dependent therefrom, including claim 18, define patentably over *Esser et al.* in view of *Zeigler* '980.

Claims 19-22 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Esser et al.* in view of U.S. Patent No. 4,539,789 to *Miyano* (the Official Action refers to this patent as "Nelson", however, that appears to be a clerical error). *Miyano* does not cure the defects of *Esser et al.* with respect to claim 1 and it is respectfully submitted that claim 1 and the claims dependent therefrom, including claims 19-22, define patentably over *Esser et al.* in view of *Miyano*.

To the extent that the applicant does not respond to a particular comment in the Official Action, the applicant does not intend by this to indicate acquiescence in or agreement with the comment. To the extent that any extensions of time are necessary in connection with this application it is requested that there be a standing petition for extension of time and that any additional fees that are required, or refunds due, in connection with this or any other paper filed in connection with this application be charged to Deposit Account 503015.

If the Examiner is of the opinion that a telephone conference would be helpful in resolving any outstanding issues, the Examiner is urged to contact the undersigned.

1217 King Street
Alexandria, VA 22314
(703) 299-0953

Respectfully submitted,

WRB-IP LLP

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By: /Harold R. Brown III/
Harold R. Brown III
Registration No. 36,341